

AMNESTY INTERNATIONAL

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Thailand: Amnesty International regrets the rejection of recommendations to abolish the death penalty

Human Rights Council adopts Universal Periodic Review outcome on Thailand

Amnesty International is disappointed that Thailand has rejected recommendations to abolish the death penalty, contrary to the express commitment it made in its 2009-2013 Human Rights Action Plan.¹ The organization recalls Thailand's welcome decision in 2010 not to oppose the UN General Assembly call for a moratorium on executions, and also notes Thailand's regular recourse to clemency for prisoners on death row.

However, Amnesty International is dismayed that Thailand resumed executions in 2009 after a hiatus of six years. The organization is concerned that all death row prisoners continue to be shackled despite a court decision in 2009 that declared this practice illegal, and that over half of all death sentences are passed for drug-related offences, in contravention of international law. Amnesty International calls on Thailand to abolish the death penalty, and in any intervening period to grant clemency to all persons on death row, and ensure that the death penalty is not part of initiatives to combat illegal drugs.

Several States expressed concern at the human rights situation amidst internal armed conflict in Thailand's southern-most provinces.² Muslim insurgents have committed acts constituting war crimes, while security forces have systematically used torture and other ill-treatment in their counter-insurgency efforts. Extraordinary legislation affords security forces enormous discretionary power and codifies their immunity from prosecution. No official or member of the security forces has been successfully prosecuted for a human rights violation since the conflict resumed in 2004. Amnesty International urges the government to ensure that counter-insurgency operations respect international human rights and humanitarian law, and to hold accountable alleged perpetrators of human rights violations.

Amnesty International is concerned at the severe restrictions on freedom of expression, resulting particularly from the lèse-majesté law and the Computer-related Crimes Act.³ Since the UPR Working Group reviewed Thailand in October 2011, at least three individuals have been convicted of violating these laws, including Ampol Tangnoppakul, sentenced to 20 years' imprisonment, and Joe Gordon, a dual US-Thai citizen given a two and a half year sentence. Amnesty International urges Thailand to suspend application of these laws until they are brought into compliance with Thailand's international legal obligations, and to release prisoners of conscience detained under these laws.

¹A/HRC/19/8, recommendations 89.1 (Argentina), 89.3 (Spain), 89.6 (Hungary), 89.7 (Switzerland), 89.27 (Turkey), 89.28 (France), 89.29 (Slovakia), 89.30 (Spain), 89.31 (Switzerland), 89.32 (Slovenia), 89.33 (Brazil), 89.34 (Argentina) and 89.35 (Nicaragua).

²Ibid., recommendations 88.54 (South Africa), 88.55 (Qatar), 88.65 (Malaysia) and 88.68 (Canada).

³Ibid., recommendations 89.50 (Brazil), 89.51 (United Kingdom), 89.52 (France), 89.53 (France), 89.54 (New Zealand), 89.55 (Norway), 89.56 (Norway), 89.57 (Norway), 89.58 (Slovenia), 89.59 (Sweden), 89.60 (Spain), 89.61 (Indonesia), 89.62 (Switzerland), 89.63 (Canada) and 89.64 (Switzerland).

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Thailand on 15 March during its 19th session. Prior to the adoption of the report of the review Amnesty International delivered the oral statement above. Amnesty International also contributed to the information basis of the review through its submission on Thailand: <http://www.amnesty.org/en/library/info/ASA39/001/2011/en>

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